

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case 31-CA-282822

Date Filed 9/10/2021

## INSTRUCTIONS:

File an original with NLRB Regional Director for the Region in which the alleged unfair labor practice occurred or is occurring

<b>1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT</b>			
a. Name of Employer  <b>Activision Blizzard, Inc. Blizzard Entertainment, Inc. Activision Publishing, Inc.</b>  <b>As a single employer</b>		b. Tel. No. <b>(310) 255-2000</b>	
		c. Cell No.	
		f. Fax No. <b>(310) 479-4005</b>	
d. Address (Street, city, state, and ZIP code)  <b>3100 Ocean Park Blvd. Santa Monica, CA 90405</b>		e. Employer Representative  <b>Bobby Kotick – CEO</b>	
		g. e-Mail	
		h. Number of workers employed <b>3,000+</b>	
i. Type of Establishment (factory, mine, wholesaler, etc.)  <b>video game developer and publisher</b>		j. Identify principal product or service  <b>video games</b>	
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of <b>section 8(a)(1)</b> of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce with the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
<b>2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)</b>  <b>Within the last six months the above named employer has repeatedly engaged in unlawful conduct by threatening employees in the exercise of the rights guaranteed by Section 7. The employer has threatened employees that they cannot talk about or communicate about wages, hours and working conditions; told employees they cannot communicate with or discuss ongoing investigations of wages, hours and working conditions; maintained an overly broad social media policy; enforced the social media policy against employees who have engaged in protected concerted activity; threatened or disciplined employees on account of protected concerted activity; engaged in surveillance of employees engaged in protected concerted activity and engaged in interrogation of employees about protected concerted activity</b>			
<b>3. Full name of party filing charge (if labor organization, give full name, including local name and number)</b>  <b>Communications Workers of America AFL-CIO</b>			
4a. Address (Street and number, city, state, and ZIP code)  <b>501 Third Street, N.W. Washington, DC 20001-2797</b>		4b. Tel. No.	
		4c. Cell No.	
		4d. Fax No.	
		4e. e-Mail <a href="mailto:tsmith@cwa-union.org">tsmith@cwa-union.org</a>	
<b>5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)</b> <b>Communications Workers of America AFL-CIO</b>			
<b>6. DECLARATION</b>		Tel. No. <b>(510) 337-1001</b>	
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		Office, if any, Cell No.	
 (signature of representative or person making charge)		Fax No. <b>(510) 337-1023</b>	
<b>DAVID A. ROSENFELD, Attorney</b> (Print/type name and title or office, if any)		e-Mail <a href="mailto:nlrnotices@unioncounsel.net">nlrnotices@unioncounsel.net</a> <a href="mailto:drosenfeld@unioncounsel.net">drosenfeld@unioncounsel.net</a>	
Address: <b>Weinberg, Roger &amp; Rosenfeld 1375 55th Street Emeryville, CA 94608</b>		September 10, 2021 (date)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

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UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 31  
11500 W OLYMPIC BLVD  
SUITE 600  
Los Angeles, CA 90064-1753

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (310) 235-7351  
Fax: (310) 235-7420



Download  
NLRB  
Mobile App

September 13, 2021

Bobby Kotik, CEO  
Activision Blizzard, Inc.; Blizzard Entertainment, Inc.;  
Activision Publishing, Inc.; as a single Employer  
3100 Ocean Park Blvd.  
Santa Monica, CA 90405

Re: Activision Blizzard, Inc., Blizzard  
Entertainment, Inc., Activision Publishing,  
Inc., as a single employer  
Case 31-CA-282822

Dear Mr. Kotik:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney Amanda Laufer whose telephone number is (310) 307-7337. If this Board agent is not available, you may contact Supervisory Field Attorney Joanna Silverman whose telephone number is (310) 307-7309.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your

representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Correspondence:** All documents submitted to the Region regarding your case MUST be filed through the Agency's website, [www.nlr.gov](http://www.nlr.gov). This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Mori Rubin". The signature is written in a cursive, flowing style.

Mori Rubin  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 31  
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Download  
NLRB  
Mobile App

September 13, 2021

T. Smith  
Communications Workers of America, AFL-CIO  
501 Third Street NW  
Washington, DC 20001-2797

Re: Activision Blizzard, Inc., Blizzard  
Entertainment, Inc., Activision Publishing,  
Inc., as a single employer  
Case 31-CA-282822

Dear Sir or Madam:

The charge that you filed in this case on September 10, 2021 has been docketed as case number 31-CA-282822. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

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**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you



fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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Very truly yours,

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Mori Rubin  
Regional Director

cc: David A. Rosenfeld, Attorney at Law  
Weinberg Roger & Rosenfeld  
1375 55th Street  
Emeryville, CA 94608

Copy of charge only sent to:

Dominique Thomas  
Assistant to the Vice President  
Communication Workers of America, District 9  
12215 Telegraph Road, Suite 210  
Santa Fe Springs, CA 90670

Frank Arce, Vice President  
Communication Workers of America, District 9  
2804 Gateway Oaks Drive, Suite 150  
Sacramento, CA 95833-4324